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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/445,131	03/06/2000	JIANLEI XIE	RCA88670	9524

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PATENT OPERATIONS
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EXAMINER

LE, KIMLIEN T

ART UNIT	PAPER NUMBER
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2653

DATE MAILED: 09/10/2003

14

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/445,131

Applicant(s)

XIE, JIANLEI

Examiner

Kimlien T Le

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2653

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 June 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 19 and 20 is/are allowed.
- 6) ☒ Claim(s) 1-18 and 21-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other:

Response to Arguments

1. Applicant's arguments filed on June 12, 2003 have been fully considered but they are not deemed to be persuasive.

Applicant asserts on page 3:

"Responsive to the rejection of claims 1-18 and 21-23 under 35 U.S.C. 102 (e) as being anticipated by Gotoh et al (U.S. Pat. No. 6,052,465), Applicant submits that for the reasons discussed below claims 1-18 and 21-23 are not anticipated by Gotoh et al. The present invention recognizes that it is desirable to provide multiple laser-encoded areas on a single disk, wherein each area includes individualized information associated with each respective program stored on the disk. In that regard, individualized laser coded data associated with respective program data is included in respective data areas. For example, as shown in Fig. 5, four separate BCA areas having individualized laser coded data is provided wherein each BCA area is associated with a respective one of the separate program data portions of the disk, namely layer 1, side A; layer 1, side B; layer 0, side A; and layer 0, side B. Each individualized laser coded data on each portion is separate and distinct from the laser coded data on the other portions. In that regard, the claims have been amended to recite "individualized laser encoded data" disposed on respective data areas and identifying respective program data."

The Examiner maintains that Gotoh et al. (U.S. Patent 6,052,465) and Hui (U.S. Patent 4,229,808) disclose the features of claims 1-18 and 21-23.

Allowable Subject Matter

2. Claims 19-20 are allowed.

The following is an examiner's statement of reasons for allowance:

In independent claim 19, the limitation of a method for processing a disk having a plurality of programs on the disk, comprising the steps of identifying a count representing the number of laser encoded areas on the disk, each one of the plurality of programs on the disk being uniquely associated with a particular one of the laser encoded areas; obtaining a first laser

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encoded data by reading from a first laser encoded area on the disk; and obtaining a subsequent laser encoded data by reading from a subsequent laser encoded area on the disk until the number of laser encoded areas read equals to the count, is not anticipated, nor made obvious, over the prior art of record.

3. The dependent claims, being further limiting, definite and fully enabled by the Specification, are also allowed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-18 and 21-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hui (U.S. Patent 4,229,808) in view of Gotoh et al. (U.S. Patent 6,052,465).

Regarding claims 1-2, 4-7, 9-11, 14-18, 22 and 23, note the following.

Hui in optical storage art discloses respective program data on plurality of portions of a "recording medium", "first area" and "second area" having "individualized laser encoded data

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representing information identifying said respective program data”, Fig. 1, elements 23, “FIRST SEGMENT” “SECOND SEGMENT”, “A”, “B”, “C”.

Hui lacks recording the programs and areas on different sides of a two-sided recordable medium. Hui discloses a one-sided medium.

Gotoh et al ‘465 in optical storage art, discloses an optical disc recordable on two sides, to increase recording capacity. Therefore, it would have been obvious to use a 2-sided disc as the disc of Hui and record Hui’s programs and identifying areas on both sides thereof as suggested by Gotoh et al. The rationale is as follows: One of ordinary skill in the art at the time of the invention would have been motivated to provide Hui with a 2-sided disc as the disc of Hui and record Hui’s programs and identifying areas on both sides thereof as suggested by Gotoh et al, in order to increase recording capacity.

Regarding claims 3,8,12,13 and 21, note the following.

Hui lacks BCA areas as the identifying areas (claims 12-13), partially removed reflection film as the identifying areas (claim 21), and angularly different positions for the identifying areas (claims 3, 8). Hui records such identifying areas with the program data. Gotoh et al in the optical disc art, discloses using BCA areas as the identifying areas (claims 12-13), partially removed reflection film as the identifying areas (claim 21), and angularly different positions for the identifying areas (claims 3, 8) as shown in Figs 4,5,7 and 23, to provide improved piracy prevention. Therefore, it would have been obvious to provide Hui with BCA areas as the identifying areas (claims 12-13), partially removed reflection film as the identifying areas (claim 21), and angularly different positions for the identifying areas (claims 3, 8) as taught by Gotoh et al. The rationale is as follows: One of ordinary skill in the art at the time of the invention

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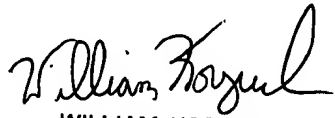
would have been motivated to provide Hui with BCA areas as the identifying areas (claims 12-13), partially removed reflection film as the identifying areas (claim 21), and angularly different positions for the identifying areas (claims 3, 8) as taught by Gotoh et al, in order to provide improved piracy prevention.

Points of Contact

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimlien Le. whose telephone number is 703-305- 3498. The examiner can normally be reached on Monday-Friday from 8A.M to 5 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Korzuch can be reached on 703-305-6137. The fax phone number is 703-308-6606

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.


WILLIAM KORZUCH
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